

Today we begin two days of hearings on the Federal Emergency Management Agency. These hearings are part of a series of hearings in this Committee on how to make government effective again.

In the 1990s, FEMA was a model government agency. But as Hurricane Katrina showed, cronyism, under-funding, and lack of leadership turned FEMA into the most ridiculed agency in the government.

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In these hearings, we will ask whether FEMA has learned the lessons of Hurricane Katrina and restored its capacity to protect the public in disasters.

Today we are going to look at a narrow, but telling subject: FEMA trailers that exposed our citizens to dangerous levels of formaldehyde. Then in two weeks, we will look at the broader topic of FEMA's preparedness for the next disaster. I commend my colleague, Ranking Member Davis, for asking for the preparedness hearing and for his bipartisan approach to these issues.

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The nearly 5,000 pages of documents we've reviewed expose an official policy of premeditated ignorance. Senior FEMA officials in Washington didn't want to know what they already knew because they didn't want the moral and legal responsibility to do what they knew had to be done. So they did their best not to know. It's sickening and the exact opposite of what government should be.

My staff has prepared a briefing memo for members that describes in detail what we learned from our review of the FEMA documents. I ask unanimous consent to include the memo and the documents it cites in the hearing record.

The FEMA documents depict a battle between FEMA field staff, who recognized right away that formaldehyde was a serious problem, and FEMA headquarters, particularly FEMA's lawyers, who wanted to pretend it didn't exist.

In March 2006, news articles reported high levels of formaldehyde in FEMA trailers. FEMA field staff urged immediate action, saying: "This needs to be fixed today," "we need to take a proactive approach," and there is an "immediate need" for a plan of action.

But when the issue reached FEMA's lawyers, they blocked testing of occupied trailers. One FEMA attorney explained: "Do not initiate any testing until we give the OK. |Once you get results|the clock is running on our duty to respond to them."

Another FEMA official wrote: the Office of General Counsel has advised that "we do not do testing" because it "would imply FEMA's ownership of this issue."

Early in the process, due to the perseverance of a pregnant mother with a four-month-old child, FEMA did test one occupied trailer. The results showed that their trailer had formaldehyde levels 75 times higher than the maximum workplace exposure level recommended by the National Institute for Occupational Safety and Health.

The mother evacuated the trailer. FEMA stopped testing occupied trailers. And top officials issued a statement that said: "FEMA and industry experts have evaluated the small number of cases where odors of formaldehyde have been reported, and we are confident that there is no ongoing risk."

In early July 2006, FEMA officials worked with EPA and CDC to develop a testing protocol for unoccupied trailers that would "determine formaldehyde concentrations emanating from the trailer|under living conditions." EPA officials advised FEMA that "the levels we find after testing may well be more than 100 times higher than the health base level."

After receiving this report, FEMA responded by changing the testing protocols. Instead of simulating actual living conditions — which would show high levels of formaldehyde — FEMA directed that the trailers be tested with their windows open, their ventilation fans running, and their air conditioning units operating 24 hours per day.

A leading treatise on diagnosing indoor air quality calls testing for formaldehyde under these conditions “meaningless.”

FEMA repeatedly received complaints from occupants about high formaldehyde levels, including at least two complaints involving the death of occupants. But the agency brushed the complaints aside. Over 100,000 families have lived in FEMA trailers and manufactured homes. Yet the leadership of FEMA refused to take even the most basic steps to protect them from toxic formaldehyde fumes.

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Yesterday, FEMA finally admitted it made a mistake. It announced it would begin a program to test occupied trailers for dangerous levels of formaldehyde. This is exactly what FEMA's field staff urged over a year ago. But it took this hearing — and the prospect that Director Paulison would face tough questions— to spur FEMA to act.

FEMA exists to serve the public. But it acts as though protecting Director Paulison from embarrassment is more important than protecting the health of the victims of Hurricane Katrina.

It is impossible to read the FEMA documents and not be infuriated. Americans don't mind paying their taxes if they get a government that works. But when that bargain is broken — and tax dollars are squandered and health jeopardized — frustration rises and trust in government erodes.

At our last hearing with Surgeon General Carmona, I said that good oversight should serve two purposes. It should expose government malfeasance and point the way toward reform. Those are my goals again today.

I know the documents we are releasing — and the testimony we will hear — will reveal mistakes

and misjudgments. We need to learn from them to identify what needs to be fixed to protect the health of the thousands of families still living in FEMA trailers. And we should do everything we can to make sure that this disgraceful conduct never happens again.